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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/913,362	05/01/2002	Yasunori Matsukawa	MAT-8172US	9677	
7590 06/04/2004			EXAM	EXAMINER	
Lawrence E Ashery		PATIDAR	PATIDAR, JAY M		
Ratner & Prestia Suite 301					
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One Westlake Berwyn P O Box 980			2862		
Valley Forge, PA 19482-0980			DATE MAILED: 06/04/200	DATE MAILED: 06/04/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) Og/913,362 MATSUKAWA ET AL						
Examiner Jay M. Patidar 2862 - The MAILING DATE of this communication appears on the cover sheet with the correspond no address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extractions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed. - If the period for reply is appelled above, the machinum statutory prefer will not be a tended by the period for reply to appelled above, the machinum statutory prefer will apply and will expend \$12 CFR 1.136(a). In no event, however, may a reply be timely filed. - If the period for reply to appelled above, the machinum statutory prefer will apply and will expend \$12 CFR 1.136(a). In the event form the realizing date of this communication of the period for reply to appelled above, the machinum statutory prefer will apply and will expend \$12 CFR 1.136(a). In the event form the realizing date of this communication, even if through filed, may reduce any search patient term adjustment. See 37 CFR 1.736(b). Status 1)		Application No.	Applicant(s)	_		
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This communication is in response to applicants response filed on March
 2004.

2. The following is a quotation of the appropriate paragraphs of 35
U.S.C. 102 that form the basis for the rejections under this section made in this
Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Baba et al. (3,777,273).

As to claim 1, Baba discloses a plurality of magnets 14,14' forming a magnetic circuit that a continuous magnetic flux flows between the magnets; at least one sensor 24,24'; an object 20a in the magnetic circuit and the sensor being stationary (Note figs. 1-3).

3. Claims 1 and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by JP 02208569.

As to claim 1, '569 discloses a plurality of magnets 231,232 forming a magnetic circuit that a continuous magnetic flux flows between the magnets; at

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least one sensor 221,222; an object 21 in the magnetic circuit and the sensor being stationary (Note fig. 1).

- 4. Claims 11-14,28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
- 5. Applicant's arguments with respect to claims 1 and 27 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that the magnets forming magnetic circuit connecting the magnets. This limitation is no longer in claim. Regarding continuous flux flow between the magnets, it is clearly shown in figure 1 and ordinary skill in the art know that the magnetic flux from magnet 14 will pass through 20a and then flow to 14 or 14'. Some flux of 14 will go to 14' and that is called continuous flux flow from one magnet to another.
- 6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Page 4

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay M. Patidar whose telephone number is 703-308-6723. The examiner can normally be reached on M-Thur 7:00-5:30.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-0956.

Jay M. Patidar
Primary Examiner
Tech Center 2862

May 27, 2004